

# **EXHIBIT 11**

FRESNO COUNTY SHERIFF'S DEPARTMENT										1. Report No. 85-16278	
2. Type of Report <input checked="" type="checkbox"/> Crime <input type="checkbox"/> Incident					3. Assignment <input type="checkbox"/> Patrol <input checked="" type="checkbox"/> Detective						
4. Crime Code PC		5. Section 187		6. Definition Murder		7. Type of Target <input type="checkbox"/> Residential <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Person <input type="checkbox"/> Commercial <input type="checkbox"/> Vehicle <input type="checkbox"/> People-of-State <input type="checkbox"/> N/A					
8. Date Occurred From 8-15-85		9. Day Occurred From Thurs.		10. Time Occurred From 0330		11. Date Reported 8-15-85		12. Day Reported Thurs.		13. Time Reported 0356	
14. Area IV		15. Zone 3059		16. Location of Occurrence 2448 S. Eleventh #4--Fresno							
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person Interviewed P-Parent G-Guardian D/C-Discovered Crime											
17. Code V		18. Last Name (Business Name) Bustos, Silvestre				19. Race Mex.		20. Sex M		21. D.O.B. 8-14-62	
22. Residence Address 2448 S. Eleventh #4--Fresno						23. Residence Phone none					
24. Business Address (School/Grade If Student) N/A						25. Work Hrs/Days Off		26. Business Phone			
Code		Last Name (Business Name) First Middle				Race		Sex		D.O.B.	
Residence Address City/Zip						Residence Phone					
Business Address (School/Grade If Student) City/Zip						Work Hrs/Days Off		Business Phone			
CODE DEFINITIONS: S-Suspect R/A-Runaway Juvenile MP-Missing Person											
Code S		Last Name Hernandez, Hector				Race Mex.		Sex M		D.O.B. 2-28-59	
27. Age 26		31. Hair Color Bro				32. CDL or SS Number C0010564		33. Miscellaneous Descriptors (clothing, etc.)			
34. Address 842 Edgar--Sanger		35. Disposition <input type="checkbox"/> Booked <input checked="" type="checkbox"/> At Large <input type="checkbox"/> Other				36. Charge(s) PC 836/187		37. Citation No.			
Code		Last Name First Middle				Race		Sex		D.O.B.	
Hgt.		Wgt.		Eyes		Hair Color		CDL or SS Number		Miscellaneous Descriptors (clothing, etc.)	
Address City/Phone						Disposition <input type="checkbox"/> Booked <input type="checkbox"/> At Large <input type="checkbox"/> Other		Charge(s)		Citation No.	
38. ADULT R/A Juv. INFO.: Dispo Disord? <input type="checkbox"/> Ret. Home <input type="checkbox"/> J.H. <input type="checkbox"/> Other _____ School Attending?											
39. TYPE OF VEHICLE: <input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen <input type="checkbox"/> Victim (Veh. Attacked)				40. DISPO: <input type="checkbox"/> Released <input type="checkbox"/> Left at Scene <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored				41. File Control No. (FCN)			
42. Year		43. Make		44. Model		45. Body Style		46. Color(s)		47. Vehicle Identification No. (VIN)	
48. License No.		49. State									
50. Other Description				51. Address if Vehicle Stored				52. Value			
53. Registered Owner <input type="checkbox"/> Same as Victim <input type="checkbox"/> Same as Suspect				54. Address of Registered Owner				55. Phone			
56. Legal Owner <input type="checkbox"/> Same as Victim <input type="checkbox"/> Same as Suspect				57. Address of Legal Owner				58. Phone			
59. Location of Recovery (If Combined Report)				59. Originating Agency (Other Than FSD)				60. Agency Case No.			
61. <input type="checkbox"/> Suspect Known or Named <input type="checkbox"/> Unique M.O. <input type="checkbox"/> Other (Supervisory Judgement)				62. Evidence Obtained <input checked="" type="checkbox"/> Blood <input type="checkbox"/> Fingerprints <input type="checkbox"/> Hair <input checked="" type="checkbox"/> Tire Tracks <input checked="" type="checkbox"/> Photos <input type="checkbox"/> Semen <input type="checkbox"/> Shoe Tracks <input type="checkbox"/> Vehicle <input type="checkbox"/> Weapons/Tools <input type="checkbox"/> Other							
63. Submitting Officer(s) John Trevino/Morrison				64. Section Det.		65. Reviewed by/Date jsm		66. Typed by jsm		67. Date & Time 8-16-85, 1215	
68. Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> SGT <input type="checkbox"/> SLD <input type="checkbox"/> OTHER <input checked="" type="checkbox"/> BOOK											

8-16-85/8

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<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b>						REPORT NO.: 85-16278	
<input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP							
Code Section <b>PC 187</b>		Crime <b>MURDER</b>		Victim's Name <b>SYLVESTRE BUSTOS</b>			
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed				LOCATION OF OCCURRENCE <b>2448 S. 11th #4, Calwa</b>			
Code	Last Name (Business Name)		First	Middle	Race	Sex	D.O.B.
Residence Address				City/Zip		Residence Phone	
Business Address (School/Grade if Student)				City/Zip		Work Hrs./Days Off	
Business Phone				File Control No. (FCN)			
TYPE OF VEHICLE:		DISPO:		At Scene		Scene	
<input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen		<input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large					
<input type="checkbox"/> Suspec. <input type="checkbox"/> Victim (Veh. Attacked)		<input type="checkbox"/> Stored <input type="checkbox"/> At Scene					
<input type="checkbox"/> Other		<input type="checkbox"/> Other					
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)		License No. State

SOURCE: On 8-15-85, approx. 0356 hrs, I was dispatched to 2448 S. 11th #4, Calwa regarding an injured person.

Upon arrival on the scene I discovered that the residence was one of 5 apartments at the 2448 S. 11th address. Apartment #4 sets in the alleyway off Burns St, on the North side of the street.

As I approached I observed 4 Mexican Males and one female standing outside of the residence awaiting my arrival. I asked the group of subjects where the injured person was and they pointed to the apartment.

I entered the front living room area of the apartment and observed a Mexican Male subject lying on the living room floor. The victim was in a E/W position with the head facing East. The victims arms were resting at his sides and I observed a large pool of blood under the chest and face area.

I quickly checked the residence for additional victims or possible suspects and then exited the apartment when discovering no additional victims or persons. Paramedics and ambulance personnel (American Ambulance) arrived on the scene. I allowed the paramedics to enter and make a quick evaluation. They advised that the victim was confirmed deceased, so I secured the crime scene area.

Reporting Officers <b>F. LOPEZ      A-571</b>		Section <b>PAT</b>		Typed by <b>MC</b>	Date & Time <b>8-16-85</b>
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER					Date

L.H., J.H.

<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b>						REPORT NO.: 85-16278	
<input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP							
Code Section		Crime		Victim's Name SYLVESTRE BUSTOS			
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed						LOCATION OF OCCURRENCE 2448 S. 11th #4, Calwa	
Code	Last Name (Business Name)		First	Middle	Race	Sex	D.O.B.
Residence Address				City/Zip		Residence Phone	
Business Address (School/Grade if Student)				City/Zip		Work Hrs./Days Off	
TYPE OF <input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen VEHICLE: <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other				DISPO: <input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored <input type="checkbox"/> At Scene <input type="checkbox"/> Scene <input type="checkbox"/> Other		File Control No. (FCN)	
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)		License No.
<p>Sgt. NOYES and Deputy T. OBRIEN arrived on the scene and determined that Detectives should be called out. Sgt. NOYES requested me to obtain names of the witnesses and attempt to interview the witnesses.</p> <p>I obtained the following names from the subjects present at the scene.</p> <ol style="list-style-type: none"> <li>1. SANTA MARIA, Eleno, MM, 7-17-50, 2448 S. 11th #4, no phone number.</li> <li>2. FLORES, Genaro Mosica, MM, 9-19-60, 2448 S. 11th #4, no phone #</li> <li>3. JUAREZ, Doroteo, MM, 9-9-68, 2448 S. 11th #4, no phone #</li> <li>4. CASIA, Enrique, MM, 11-17-43, 2448 S. 11th #4, no phone #</li> <li>5. LOPEZ, Mary, MF, 12-19-50, 4616 Mono, Fresno, no phone #</li> </ol> <p><u>WITNESS STATEMENT:</u> Prior to Detectives arrival I spoke to one of the witnesses, Eleno SANTA MARIA. SANTA MARIA said that on 8-15-85, unk exactly what time, he was asleep on the kitchen floor when he was suddenly awoken by one gun shot. He said he quickly sat up and observed a Mexican Male, 5-10/6-0, standing in the front living room area of the apartment.</p> <p>SANTA MARIA said all the lights in the residence were turned off so he couldn't get a good look at the suspect. He said that as soon as he sat up the suspect turned and looked at him and said "No te muevas", (which means, don't move). SANTA MARIA said</p>							
Reporting Officers F. LOPEZ		A-571		Section PAT		Typed by MC	
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER						Date & Time 8-16-85	
Reviewed By						Date	

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FRESNO COUNTY SHERIFF'S DEPARTMENT						REPORT NO.: 85-16278	
<input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP							
Code Section PC 187		Crime MURDER		Victim's Name SYLVESTRE BUSTOS			
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed				LOCATION OF OCCURRENCE 2448 S. 11th #4, Calwa			
Code	Last Name (Business Name)		First	Middle	Race	Sex	D.O.B.
Residence Address				City/Zip		Residence Phone	
Business Address (School/Grade if Student)				City/Zip		Work Hrs./Days Off	
Business Phone							
TYPE OF VEHICLE:		DISPO:		File Control No. (FCN)			
<input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other		<input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored At Scene <input type="checkbox"/> Scene <input type="checkbox"/> Other					
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)		License No.
							State

he was unable to get any description of the suspect, other than the fact that he did not appear to be wearing a shirt.

SANTA MARIA said he did not see a weapon but waited for the suspect to look away momentarily and when he did he quickly ran into an adjoining bedroom and hid from the suspect. He said he and the other witnesses (excluding Mary LOPEZ) stayed in the bedroom and heard the suspect in the residence making unknown type noises possible knocking something over.

All the witnesses stayed in the bedroom until they could no longer hear noises in the residence. He said there was a good possibility that the suspect may have tampered with the victim's vehicle, but SANTA MARIA was not positive. He said they waited for approx. 10 minutes and then exited the bedroom.

SANTA MARIA said they turned on the lights in the residence and discovered that one of their friends had been shot and killed. He said he and the other witnesses quickly ran out of the residence S/bound down the alleyway to another friends home and they inturn notified Mary LOPEZ, who then notified FSD.

ADDITIONAL INFO: SANTA MARIA advised that the victim is known to carry a possible semi-automatic handgun, unknown caliber, poss a stainless steel frame. He further

Reporting Officers F. LOPEZ		Section PAT		Typed by INC		Date & Time 8-16-85	
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER				Reviewed By		Date	

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<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b>						REPORT NO.: <b>85-16278</b>	
<input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP							
Code Section <b>PC 187</b>		Crime <b>MURDER</b>		Victim's Name <b>SYLVESTRE BUSTOS</b>			
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed				LOCATION OF OCCURRENCE <b>2448 S. 11th #4, Calwa</b>			
Code	Last Name (Business Name)		First	Middle	Race	Sex	D.O.B.
Residence Address				City/Zip		Residence Phone	
Business Address (School/Grade If Student)				City/Zip		Work Hrs./Days Off	Business Phone
TYPE OF VEHICLE: <input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other		DISPO: <input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored At Scene Scene <input type="checkbox"/> Other		File Control No. (FCN)			
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)		License No.      State
<p>advised that the victim either keeps it in the waistband of his pants or underneath his pillow on the sofa.</p> <p>SANTA MARIA advised that he only knows the victims name to be "ODOLIO" and also uses a nickname of "LULU".</p> <p>No further info received, scene was turned over to Detectives upon their arrival.</p>							
Reporting Officers <b>F. LOPEZ</b>			Section <b>PAT</b>		Typed by <b>MC</b>		Date & Time <b>8-16-85</b>
Social Routing: <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER					Reviewed By		Date

<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b>						REPORT NO.: 85-16278	
<input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP							
Code Section PC 187		Crime Murder		Victim's Name BUSTOS, SYLVESTRE			
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed				LOCATION OF OCCURRENCE 2884 South Eleventh			
Code W-1	Last Name (Business Name) CHACON, MARY CHITA			First Middle	Race M	Sex F	D.O.B. 9-3-62
Residence Address 2418 South Tenth, Fresno, California 93725				City/Zip Residence Phone no phone			
Business Address (School/Grade if Student) Unemployed				City/Zip		Work Hrs./Days Off Business Phone	
TYPE OF VEHICLE:		<input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other		DISPO: <input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored At Scene Scene <input type="checkbox"/> Other		File Control No. (FCN)	
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)		License No. State
W-2: RAMOS, EVA SOTO -- M/F -- DOB 7-9-47							
2418 South Tenth, Fresno, California -- no phone							
Unemployed							
SOURCE: 0359 hours, 8-15-85, Thursday. I was dispatched to 2448 South Eleventh, Fresno, California to assist Deputy LOPEZ with a shooting. Prior to my arrival, Deputy LOPEZ arrived and discovered a deceased Mexican Male in apartment #4.							
I arrived at 0419 hours, 8-15-85 and helped secure the alley way south of apartment #4 and north of Burns Avenue.							
0425 hours, 8-15-85, I observed that a water cooler used for cooling purposes for apartment #4 had apparently been pushed over. This water cooler was outside a west window adjacent to the alley.							
I then observed a pair of shoe tracks that lead from the water cooler north bound in the dirt through the alley. Sgt. NOYES and myself followed these shoe tracks north bound until the alley came to a "T" where I again found the tracks traveling west bound toward Tenth Street. I then crossed							
Reporting Officers O'BRIEN A-405			Section Patrol		Typed by dq		Date & Time 8-15-85/2322
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input checked="" type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER					Reviewed By <i>elm</i>		Date 22



<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b> <b>FRESNO, CALIFORNIA</b>		69. Case No. 85-16278	2 of 3														
70. Code Section PC 187	71. Crime Murder	72. Victim's Name BUSTOS, SYLVESTRE															
<p>Tenth Street even though the shoe tracks then turned south bound Tenth on the east side of the roadway.</p> <p>In front of 2418 South Tenth, I was contacted by W-1 CHACON and W-2 RAMOS who said earlier, they had heard what sounded like gun shots and that they had observed a possible suspect. I advised CHACON and RAMOS that I would return to talk to them.</p> <p>I then continued following the shoe tracks south bound on Tenth on the east side of the road. It was easy to follow these tracks as there is dirt just east of the road. The shoe tracks continued south on Tenth until reaching the north-east corner of Tenth at Burns. At this area the shoe tracks move around in no particular pattern and then seemed to disappear onto the pavement of Tenth Street.</p> <p>On 0515 hours, 8-15-85, I returned to 2418 South Tenth to contact W-1 CHACON and W-2 RAMOS.</p> <p>I spoke first with W-1 CHACON who said that approximately 0330-0345 hours she heard what sounded like one shot discharged from a gun. She believed the sound came from the area south-east of her residence. She continued saying that she heard a loud scream, possibly from a female and then there was silence. W-1 CHACON then said that approximately two (2) minutes later she heard what sounded like a volley of four more rounds being discharged from a gun. She said that she then looked out her front window and she saw a male subject exit the alley and walk south bound Tenth Street on the east side of the road. She could only give a description as a male, approximately 5'8"/5'9", wearing light blue colored pants, but that he was</p>																	
REPORTING OFFICERS O'BRIEN		RECORDING OFFICER Same	TYPED BY dq														
DATE & TIME 8-15-85/2331																	
<table style="width: 100%; border: none;"> <tr> <td style="width: 10%;">Further Action</td> <td style="width: 10%;"><input type="checkbox"/> Yes</td> <td style="width: 10%;">Copies To</td> <td style="width: 10%;"><input type="checkbox"/> DET</td> <td style="width: 10%;"><input type="checkbox"/> DA</td> <td style="width: 10%;"><input type="checkbox"/> CII</td> <td style="width: 10%;"><input type="checkbox"/> OTHER</td> </tr> <tr> <td></td> <td><input type="checkbox"/> No</td> <td></td> <td><input type="checkbox"/> JUV</td> <td><input type="checkbox"/> SO/ PD</td> <td><input type="checkbox"/> PAT</td> <td><input type="checkbox"/> OTHER</td> </tr> </table>				Further Action	<input type="checkbox"/> Yes	Copies To	<input type="checkbox"/> DET	<input type="checkbox"/> DA	<input type="checkbox"/> CII	<input type="checkbox"/> OTHER		<input type="checkbox"/> No		<input type="checkbox"/> JUV	<input type="checkbox"/> SO/ PD	<input type="checkbox"/> PAT	<input type="checkbox"/> OTHER
Further Action	<input type="checkbox"/> Yes	Copies To	<input type="checkbox"/> DET	<input type="checkbox"/> DA	<input type="checkbox"/> CII	<input type="checkbox"/> OTHER											
	<input type="checkbox"/> No		<input type="checkbox"/> JUV	<input type="checkbox"/> SO/ PD	<input type="checkbox"/> PAT	<input type="checkbox"/> OTHER											
REVIEWED BY			DATE														



<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b> <b>FRESNO, CALIFORNIA</b>		69. Case No. 85-16278	3 of 3																										
70. Code Section PC 187	71. Crime MURDER	72. Victim's Name BUSTOS, SYLVESTRE																											
<p>carrying a rifle or sawed-off rifle/shotgun in his right hand with the barrel pointed downward. She then said she closed her curtains because she was afraid.</p> <p>W-2 RAMOS told me substantially the same story. They both concluded by saying they didn't phone Fresno Sheriff Department because they don't have a phone.</p> <p>I was later assigned to guard possible physical evidence at the north-east corner of Burns and Tenth.</p> <p>I secured from the area at approximately 0910 hours.</p>																													
REPORTING OFFICERS O'BRIEN		RECORDING OFFICER Same	TYPED BY dq																										
		DATE & TIME 8-15-85/2335																											
<table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">Further Action</td> <td style="width: 10%;"><input type="checkbox"/></td> <td style="width: 10%;">Yes</td> <td style="width: 10%;">Copies To</td> <td style="width: 10%;"><input type="checkbox"/></td> <td style="width: 10%;">DET</td> <td style="width: 10%;"><input type="checkbox"/></td> <td style="width: 10%;">DA</td> <td style="width: 10%;"><input type="checkbox"/></td> <td style="width: 10%;">CII</td> <td style="width: 10%;"><input type="checkbox"/></td> <td style="width: 10%;">OTH</td> <td style="width: 10%;"><input type="checkbox"/></td> </tr> <tr> <td></td> <td><input type="checkbox"/></td> <td>No</td> <td></td> <td><input type="checkbox"/></td> <td>JUV</td> <td><input type="checkbox"/></td> <td>SO/ PD</td> <td><input type="checkbox"/></td> <td>PAT</td> <td><input type="checkbox"/></td> <td>OTHER</td> <td><input type="checkbox"/></td> </tr> </table>				Further Action	<input type="checkbox"/>	Yes	Copies To	<input type="checkbox"/>	DET	<input type="checkbox"/>	DA	<input type="checkbox"/>	CII	<input type="checkbox"/>	OTH	<input type="checkbox"/>		<input type="checkbox"/>	No		<input type="checkbox"/>	JUV	<input type="checkbox"/>	SO/ PD	<input type="checkbox"/>	PAT	<input type="checkbox"/>	OTHER	<input type="checkbox"/>
Further Action	<input type="checkbox"/>	Yes	Copies To	<input type="checkbox"/>	DET	<input type="checkbox"/>	DA	<input type="checkbox"/>	CII	<input type="checkbox"/>	OTH	<input type="checkbox"/>																	
	<input type="checkbox"/>	No		<input type="checkbox"/>	JUV	<input type="checkbox"/>	SO/ PD	<input type="checkbox"/>	PAT	<input type="checkbox"/>	OTHER	<input type="checkbox"/>																	
REVIEWED			DATE																										

<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b>						REPORT NO.: <b>85-16278</b>	
<input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP							
Code Section <b>PC 187</b>		Crime <b>Murder</b>		Victim's Name <b>Bustos, Silvestre</b>			
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed				LOCATION OF OCCURRENCE <b>2448 S. 11th-Fresno</b>			
Code	Last Name (Business Name)			First	Middle	Race	Sex
Residence Address				City/Zip		Residence Phone	
Business Address (School/Grade if Student)				City/Zip		Work Hrs./Days Off	
TYPE OF VEHICLE: <input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other				DISPO: <input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored At Scene Scene <input type="checkbox"/> Other		File Control No. (FCN)	
Year	Make	Model	Body Style	(Color/s)	Vehicle Identification No. (VIN)		License No.
<p>On 8-15-85, during the investigation of the death of Vict., Vict's roommates advised that Vict. was a heroin dealer. They further advised that Vict. usually kept his heroin in the trunk of his vehicle, Cal Lic 233 TOR. Vict's vehicle was towed from the scene and stored at Morris &amp; Sons Towing, 2025 E. Hammond.</p> <p>At the postmortem on Vict. on 8-15-85, the keys to Vict's vehicle were discovered in Vict's clothing. R/O took custody of Vict's keys.</p> <p>On 8-16-85, at approx. 1430 Hrs., R/O and Sgt. Crass responded to Morris &amp; Sons to search Vict's vehicle. In the trunk of the vehicle, beneath a mat, R/O discovered \$400 in cash. R/O and Sgt. Crass responded to the Fresno County Coroner's Office with the money, turning it over to Dep. Coroner K. Stubbs.</p> <p>The keys to Vict's vehicle were left with the personnel at Morris &amp; Sons.</p>							
Reporting Officers <b>S. Morrison A-524</b>			Section <b>Det.</b>		Typed by <b>jsu</b>		Date & Time <b>8-16-85, 1600</b>
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input checked="" type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER <b>CALL</b>					Reviewed By		Date

Page 1 of 1

FRESNO COUNTY SHERIFF'S DEPARTMENT						REPORT NO.: <b>85-16278</b>	
<input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP							
Code Section <b>PC 187</b>		Crime <b>Murder</b>			Victim's Name <b>Bustos, Silvestre</b>		
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed						LOCATION OF OCCURRENCE <b>2448 S. 11th--Fresno</b>	
Code	Last Name (Business Name)			First	Middle	Race	Sex
Residence Address				City/Zip		Residence Phone	
Business Address (School/Grade if Student)				City/Zip		Work Hrs./Days Off	
Business Phone							
TYPE OF <input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen		DISPO: <input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large		File Control No. (FCN)			
VEHICLE: <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked)		<input type="checkbox"/> Stored <input type="checkbox"/> At Scene <input type="checkbox"/> Scene					
<input type="checkbox"/> Other		<input type="checkbox"/> Other					
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)		License No.
						State	

On 8-15-85, at approx. 1330 Hrs., R/O attended the postmortem on the body of Vict. Bustos at the Fresno County Coroner's Office.

The autopsy was performed by Dr. Jerry Nelson, assisted by Morgue Attendant Bryce Wiley. Criminologists J. Duty and L. Wiggs attended for evidence collection and photographs.

Dr. Nelson determined that Vict. was killed by a shotgun blast to the left side of the chest, which struck the aorta, causing Vict. to bleed to death.

Prior to the start of the autopsy, the keys to Vict's car were discovered in Vict's pants. R/O took custody of the keys.

Reporting Officers <b>S. Morrison      A-524</b>		Section <b>Det.</b>		Typed by <b>jsm</b>	Date & Time <b>8-16-85,      1615</b>	
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input checked="" type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER <i>CMC</i>					Reviewed By <i>CMC</i>	
					Date	

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FRESNO COUNTY SHERIFF'S DEPARTMENT						REPORT NO.: 85-16278	
<input type="checkbox"/> CONTINUATION						<input checked="" type="checkbox"/> FOLLOW-UP	
Code Section PC 187		Crime Murder		Victim's Name BUSTOS, Silvestre			
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed				LOCATION OF OCCURRENCE			
Code	Last Name (Business Name)			First	Middle	Race	Sex
Residence Address				City/Zip		Residence Phone	
Business Address (School/Grade if Student)				City/Zip		Work Hrs./Days Off	
TYPE OF VEHICLE:		DISPO:		File Control No. (FCN)			
<input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen		<input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large					
<input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked)		<input type="checkbox"/> Stored <input type="checkbox"/> At Scene <input type="checkbox"/> Scene					
<input type="checkbox"/> Other		<input type="checkbox"/> Other					
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)		License No.
							State
<p>WITNESS: Maria LOPEZ 4616 E. Mono No Phone</p> <p>8/15/85 - 0700 Hours - Thursday.</p> <p>I interviewed Witness LOPEZ, at 2448 So. 11th St., Fresno.</p> <p>Witness LOPEZ who is a friend of the Victim and to the witnesses in the case, came to the scene because the witnesses had contacted her at her residence, and told that the Victim had been killed.</p> <p>Witness LOPEZ told me that from the description provided by the witness, she believed the Suspect to be a subject she knows from Sanger, however, she couldn't remember the name.</p> <p>Witness LOPEZ told me that she frequented the Victim's residence and knew that the Victim was dealing in narcotics, and she had seen the subject from Sanger at the Victim's residence numerous times to buy dope.</p> <p>Witness LOPEZ stated that in fact a few days prior to the shooting, the Victim and the subject she believes matches the description, were arguing at the Victim's residence over some money.</p>							
Reporting Officers Det. J. Rascon			Section Detectives		Typed by lisa		Date & Time 8/21/85
Special Routing: <input checked="" type="checkbox"/> DA <input checked="" type="checkbox"/> JUV <input checked="" type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER				Reviewed By <i>Qu</i>		Date 8/21/85	

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FRESNO COUNTY SHERIFF'S DEPARTMENT										REPORT NO.: 85-16278		
<input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP												
Code Section <b>PC 187</b>		Crime <b>Murder</b>				Victim's Name <b>BUSTOS, Silvestre</b>						
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed										LOCATION OF OCCURRENCE		
Code		Last Name (Business Name)				First		Middle		Race	Sex	D.O.B.
Residence Address						City/Zip		Residence Phone				
Business Address (School/Grade If Student)						City/Zip		Work Hrs./Days Off		Business Phone		
TYPE OF VEHICLE:		<input type="checkbox"/> Strlen/Emb. <input type="checkbox"/> S. spect		<input type="checkbox"/> Rec. Stolen <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other		DISPO:		<input type="checkbox"/> Released <input type="checkbox"/> Stored <input type="checkbox"/> Other		<input type="checkbox"/> Left at <input type="checkbox"/> At Scene <input type="checkbox"/> Scene		File Control No. (FCN)
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)				License No.		State	
<p>8/15/85 - 1100 Hours - Thursday.</p> <p>I recontacted Witness LOPEZ, at 2448 So. 11th Street. I asked Witness LOPEZ if the name "HECTOR" meant anything to her. Witness LOPEZ exclaimed, "That's it, that's it!" "Hector, that's his name, HECTOR HERNANDEZ!"</p> <p>I then showed Witness LOPEZ a photograph of HECTOR HERNANDEZ.. Witness LOPEZ immediately identified the photograph as HECTOR HERNANDEZ.</p>												
Reporting Officers <b>Det. J. Rascon</b>				Section <b>Detectives</b>				Typed by <b>lisa</b>		Date & Time <b>8/21/85</b>		
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER								Reviewed By		Date		

Page 1 of 2

<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b> <input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP						REPORT NO.: 85-16278	
Code Section <b>PC 187</b>		Crime <b>Homicide</b>		Victim's Name <b>BUSTOS, Sylvestre</b>			
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed						LOCATION OF OCCURRENCE <b>2448 S. Eleventh, Fresno</b>	
Code <b>W</b>		Last Name (Business Name) <b>JUAREZ, Doroteo Vergara</b>		First <b></b>		Middle <b></b>	
Race <b>M</b>		Sex <b>M</b>		D.O.B. <b>9-9-68</b>			
Residence Address <b>2448 S. Eleventh, Fresno</b>						City/Zip <b></b>	
Residence Phone <b>None</b>							
Business Address (School/Grade if Student) <b>Farm Laborer, unknown labor contractor</b>						City/Zip <b></b>	
Work Hrs./Days Off <b>-</b>						Business Phone <b>None</b>	
TYPE OF <input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen VEHICLE: <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked)		DISPO: <input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored At Scene Scene <input type="checkbox"/> Other		File Control No. (FCN) <b></b>			
Year <b></b>		Make <b></b>		Model <b></b>		Body Style <b></b>	
(Color(s)) <b></b>		Vehicle Identification No. (VIN) <b></b>		License No. <b></b>		State <b></b>	

On 8-15-85, at approximately 0730 hours, I spoke with witness Doroteo JUAREZ at 2448 S. Eleventh, Fresno, in regards to the homicide.

Doroteo JUAREZ resides in the same apartment as the victim and was present when the homicide occurred.

Doroteo told me that at approximately 0300 hours 8-15-85, he was asleep in the kitchen, which is adjacent to the living room of the apartment. Doroteo said that at that time he was awakened by the sound of a gun shot coming from the living room.

Doroteo told me that he then observed the victim's body laying on the living room floor and observed the suspect climbing out thru the window located on the west wall of the living room, where an evaporative cooler had been located. Doroteo said that apparently the suspect had knocked over the evaporative cooler from the window so that he (suspect) could exit the apartment.

Doroteo said that the lights inside the apartment were turned off, but that the outside light located near the front door was on, and he observed the suspect to be a Mexican male adult, tall, medium built, having dark collar length hair, unknown clothing,

Reporting Officers <b>Det. M. Trevino</b>		Section <b></b>		Typed by <b>sel</b>		Date & Time <b>8-22-85/0400</b>	
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER						Reviewed By <b></b>	
						Date <b></b>	



<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b> <b>FRESNO, CALIFORNIA</b>		89. Case No. 85-16278	-2-
70. Code Section PC 187	71. Crime Homicide	72. Victim's Name BUSTOS, Sylvestre	
<p>(no further description).</p> <p>Doroteo said that he and Enrique CASIAS, Eleno SANTAMARIA, and Genaro MOJICA, who were also residing at the apartment, then went into the bedroom of the apartment, where they hid for approximately 10-15 minutes as they were frightened and thought the suspect might possiby return.</p> <p>Doroteo told me that he and the other three subjects then went to a nearby residence and contacted a subject known to Doroteo as "PABLO". Doroteo said that from that residence they were given a ride to another unknown location in Fresno. He said that at that time a female known to him as "MARIA" was notified of what had occurred and that MARIA then followed them back to the scene. Doroteo said that Maria was a friend of the victim and that he believed that Maria had called the Sheriff's Office.</p> <p>Doroteo also told me that the victim usually carried a handgun on him while inside the apartment and also said that the victim had not been working lately. Doroteo said the gun was a chrome, unknown type handgun.</p> <p>The interview was conducted inside my county vehicle and I observed that Doroteo was nervous, scared and confused during the interview.</p> <p>Doroteo, Eleno SANTAMARIA, Enrique CASIAS and Genaro MOJICA were later transported to Fresno Sheriff's Department Headquarters for further interview(s).</p>			
REPORTING OFFICERS Det. M. Trevino		RECORDING OFFICER Same	TYPED BY sel
DATE & TIME 8-22-85			
Further Action <input type="checkbox"/> Yes <input type="checkbox"/> No      Copies To <input type="checkbox"/> DET <input type="checkbox"/> DA <input type="checkbox"/> CII <input type="checkbox"/> OTHER <input type="checkbox"/> JUV <input type="checkbox"/> SO/ PD <input type="checkbox"/> PAT <input type="checkbox"/> OTHER <input type="checkbox"/>			
REVIEWED BY			DATE



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## FRESNO COUNTY SHERIFF'S DEPARTMENT

REPORT NO.:

85-16278

☐ CONTINUATION☒ FOLLOW-UP

Code Section PC 187	Crime HOMICIDE	Victim's Name BUSTOS, SYLVESTRE			
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed		LOCATION OF OCCURRENCE			
Code W	Last Name (Business Name) MOJICA	First GENARO	Middle FLORES	Race M	Sex M
Residence Address 2448 S. Eleventh		City/Zip Fresno	D.O.B. 9-19-70		
Business Address (School/Grade if Student) Farm Labor, Fresno Area		City/Zip	Work Hrs./Days Off	Residence Phone None	
TYPE OF VEHICLE: <input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other		DISPO: <input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored At Scene Scene <input type="checkbox"/> Other		File Control No. (FCN)	
Year	Make	Model	Body Style	Vehicle Identification No. (VIN)	License No. State

On August 15, 1985, at approximately 0710 hours, I spoke with witness GENARO MOJICA at 2448 S. Eleventh, Fresno, in regards to the homicide. The interview took place in my County vehicle and was conducted in Spanish as GENARO does not speak English.

GENARO resides in the same apartment as victim BUSTOS, and was present in the apartment when the homicide occurred.

GENARO said that on August 15, 1985, at approximately 0230 - 0300 hours, he was asleep in the bedroom of the apartment when he was awakened by a single gunshot. He said that ENRIQUE CASIAS, ELENO SANTA MARIA, and DOROTEO JUAREZ, who had been sleeping in the kitchen, ran into the bedroom and told him that victim BUSTOS had been shot.

GENARO said that he went to the living room and observed victim BUSTOS on the living room floor, laying on a pool of blood. GENARO said that he observed that victim BUSTOS was not moving.

GENARO said that he did not observe the suspect, as the suspect had left the apartment, but that he observed the front door opened and also observed the evaporative cooler to have been knocked over from the living room west wall window. He also observed the window to be opened.

GENARO said that he ran back to the living room where he, ENRIQUE, DOROTEO and ELENO stayed for approximately ten minutes, as they were afraid to go outside.

Reporting Officers DET. M. TREVINO	Section	Typed by lkf	Date & Time 8-24-85
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER <i>TH/PC</i>	Reviewed By	Date 8-24-85	

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<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b>						REPORT NO.: 85-16278	
<input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP							
Code Section PC 187		Crime HOMICIDE		Victim's Name BUSTOS, SYLVESTRE			
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed						LOCATION OF OCCURRENCE	
Code W	Last Name (Business Name) MOJICA		First GENARO		Middle FLORES	Race M	Sex M
Residence Address 2448 S. Eleventh						Residence Phone None	
Business Address (School/Grade If Student) Farm Labor, Fresno Area			City/Zip Fresno		Work Hrs./Days Off		Business Phone None
TYPE OF <input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen VEHICLE: <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other		DISPO: <input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored At Scene Scene <input type="checkbox"/> Other		File Control No. (FCN)			
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)		License No.
State							
<p>GENARO told me that he and the three above listed subjects then ran to a nearby residence to ask for help. He said that a subject known to him as "ZAVALA" then transported himself and the other three subjects to another residence where a female named "MARIA" was notified. GENARO said that MARIA is a friend of victim BUSTOS.</p> <p>GENARO said that MARIA then returned with them to the scene and that time someone went to call the Sheriff's Office.</p> <p>GENARO told me that he moved into the apartment approximately two weeks prior to the homicide, and during that time victim BUSTOS had never worked.</p> <p>GENARO also said that victim BUSTOS frequently carried a large chrome handgun (no further description) inside the residence for some unknown reason.</p> <p>GENARO told me that on Wednesday night, August 14, 1985, himself, victim BUSTOS and DOROTEO had gone to the Taco Loco Restaurant located in Chinatown at approximately 2230 hours and had returned to the apartment at approximately 0120 hours, August 15, 1985. He said that they had not had any problems with anybody at that time.</p> <p>GENARO, along with DOROTEO, ELENO and ENRIQUE, were later transported to Fresno Sheriff's Headquarter's for further interviews.</p>							
Reporting Officers DET. M. TREVINO			Section DET.		Typed by		Date & Time
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER					Reviewed By		Date

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<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b>						REPORT NO.: 85-16278	
<input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP							
Code Section <b>PC 187</b>		Crime <b>Homicide</b>		Victim's Name <b>BUSTOS, Sylvestre</b>			
CODE DEFINITIONS: V-Victim W-Witness R/P- P-Parent G-Guardian D/C				Reporting Party P/I-Person Suspected Crime Interviewed		LOCATION OF OCCURRENCE <b>2448 S. Eleventh, Fresno</b>	
Code		Last Name (Business Name)		First		Middle	
Race		Sex		D.O.B.			
Residence Address				City/Zip		Residence Phone	
Business Address (School/Grade If Student)				City/Zip		Work Hrs./Days Off	
Business Phone							
TYPE OF VEHICLE: <input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other				DISPO: <input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored At Scene Scene <input type="checkbox"/> Other		File Control No. (FCN)	
Year		Make		Model		Body Style	
(Color(s))		Vehicle Identification No. (VIN)		License No.		State	

On 8-15-85, at approximately 0442 hours, I was notified at my residence via telephone by Sergeant J. CRASS to respond to 2448 South Eleventh, Calwa, in regards to a homicide. Sergeant CRASS advised me to assist Detective J. RASCON, who would be the chief investigating officer.

At approximately 0523 hours, I arrived at the scene and contacted Detective S. MORRISON, who was also assisting in the homicide.

Detective MORRISON briefed me that the victim, a MMA, had apparently been sleeping on a couch in the living room, and had been shot by an unknown suspect. Detective MORRISON also advised me that there were four (4) witnesses who had been inside the residence when the homicide occurred.

I observed the residence where the victim was located to be a small apartment located just east of an alley that runs between Tenth and Eleventh Avenues, approximately 100 feet north of Burns Avenue.

I observed the victim to be a Mexican male adult, laying on his stomach, head turned facing north, next to a couch in the living room. The victim was wearing a brown pair of pants and undershorts. I observed a large pool of blood on the floor beneath the victim's body. The living room is located on the west side of the apartment, with the front door

Reporting Officers <b>Det. M. Trevino</b>		Section <b>Detectives</b>		Typed by <b>vk</b>		Date & Time <b>8-20-85 1025</b>	
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER				Reviewed By		Date	

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<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b>						REPORT NO.: 85-16278	
<input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP							
Code Section <b>PC 187</b>		Crime <b>Homicide</b>		Victim's Name <b>BUSTOS, Sylvestre</b>			
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed				LOCATION OF OCCURRENCE <b>2448 S. Eleventh, Fresno</b>			
Code	Last Name (Business Name)			First	Middle	Race	Sex
Residence Address				City/Zip		Residence Phone	
Business Address (School/Grade if Student)				City/Zip		Work Hrs./Days Off	
TYPE OF <input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen VEHICLE: <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other				DISPO: <input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored At Scene Scene <input type="checkbox"/> Other		File Control No. (FCN)	
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)		License No.
<p>facing south and a window on the west wall adjacent to the alley. I observed the window to be opened and observed an evaporative cooler laying outside on the dirt. The evaporative cooler appeared to have been knocked over from the window. I also observed the front door of the apartment to have possibly been forced open, as the wooden door was cracked in the area of the door knob.</p> <p>Shoe tracks possibly belonging to the suspect were also located inside the apartment, around the victim's vehicle which was parked in front of the apartment, and also along the alley.</p>							
Reporting Officers <b>Det. M. Trevino</b>				Section <b>Detectives</b>		Typed by <b>vk</b>	
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER				Reviewed By			Date <b>8-20-85 1032</b>



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<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b>						REPORT NO.: 85-16278	
<input type="checkbox"/> CONTINUATION <input type="checkbox"/> FOLLOW-UP							
Code Section <b>PC 187</b>		Crime <b>Murder</b>		Victim's Name <b>BUSTOS, SILVESTRE</b>			
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed				LOCATION OF OCCURRENCE <b>2448 South 11th, Fresno-Calwa</b>			
Code	Last Name (Business Name)			First	Middle	Race	Sex
Residence Address			City/Zip			Residence Phone	
Business Address (School/Grade if Student)			City/Zip			Work Hrs./Days Off	Business Phone
TYPE OF VEHICLE:		<input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other		DISPO:		File Control No. (FCN)	
				<input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored      At Scene    Scene <input type="checkbox"/> Other			
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)		License No.      State
Suspect identified as a regular narcotics customer of the victim.							
Witness: ENRIGUE FLORES CASIAS      DOB 11-17-43							
2444 South 11th							
Fresno, California							
8-15-85/0830 hours. I interviewed witness CASIAS who was in the victim's residence and was confronted by the suspect who was armed with a saw-off shotgun.							
Witness CASIAS told me that at approximatley 0300/0330 hours on this date, 8-15-85, the suspect who has come to the victim's residence numerous times and to whom this witness has sold narcotics (herion) on five (5) occassions, came to the victim's residence front door and knocked.							
Witness CASIAS stated that he open the window to witness CASIAS bedroom that sets on the west wall facing the front door.							
Witness CASIAS opened the window and asked for a "dime bag" (balloon containing ten dollars (\$10.00) of injectable herion).							
Reporting Officers <b>Det. J. RASCON</b>			Section <b>Detective</b>		Typed by <b>dq</b>		Date & Time <b>8-19-85/2342</b>
Special Routing: <input type="checkbox"/> DDA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER					Reviewed By		Date

<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b> <b>FRESNO, CALIFORNIA</b>		69. Case No. 85-16278	2 of	
70. Code Section PC 187	71. Crime Murder	72. Victim's Name BUSTOS, SILVESTRE		
<p>Witness CASIAS told the suspect to wait, "I'll check with "LOCO"."</p> <p>The victim who was dealing in sales of herion.</p> <p>Witness CASIAS stated that he had just walked into the livingroom, where the victim was sleeping on the couch, when the suspect kicked open the front door and entered armed with a sawed-off rifle or shotgun. The suspect stated in Spanish, "La carga" (slang term for drugs-narcotics), I want the drugs.</p> <p>Witness CASIAS told me that he believes that the victim was still asleep even after the suspect kicked open the door. Adding that the victim was lying on the couch, on his back with a pistol tucked in his front waistband.</p> <p>Witness CASIAS stated that he kept backing up away from the suspect in efforts to reach the bedroom door. As witness CASIAS was backing up the suspect directed his attention in the direction of the victim. Suspect stating "The gun, give me the gun." Immediately after the statement the suspect fired one shot.</p> <p>Witness CASIAS at this time ran into his bedroom and hid.</p> <p>Immediately following the gun shot, witness CASIAS stated he heard a crashing sound, as if something had been knocked over.</p> <p>Witness CASIAS stated that he kept looking via the bedroom window, looking for the suspect to exit out the front door. But the suspect never did.</p> <p>After approximately ten (10) minutes, when witness CASIAS and the other three (3) occupants in the residence were sure that the suspect</p>				
REPORTING OFFICERS Det. RASCON		RECORDING OFFICER Same	TYPED BY dq	DATE & TIME 8-19-85/2352
Further Action <input type="checkbox"/> Yes <input type="checkbox"/> No		Copies To <input type="checkbox"/> DET <input type="checkbox"/> DA <input type="checkbox"/> CII <input type="checkbox"/> OTHER <input type="checkbox"/> JUV <input type="checkbox"/> SO/ PD <input type="checkbox"/> PAT <input type="checkbox"/> OTHER		REVIEWED BY _____ DATE _____

<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b> <b>FRESNO, CALIFORNIA</b>		Case No. 85-16278	3 of
70. Code Section PC 187	71. Crime Murder	72. Victim's Name BUSTOS, SILVESTRE	
<p>was gone. They came out of the bedroom and found the victim lying face down in a pool of blood, lifeless.</p> <p>Witness CASIAS stated that he doesn't know the suspect's name, but does recall that he suspect told him that he (suspect) lived in Sanger.</p> <p>Witness CASIAS described the suspect as Mexican male adult, 30-35 years, 5'10"-6'0", 180 lbs, mustache, goatee type beard, collar length black hair, with pock marked face.</p> <p>8-15-85/1100 hours. After having developed HECTOR HERNANDEZ, FSD #139 961, DOB 2-18-69, I showed witness CASIAS a single photograph of suspect HECTOR HERNANDEZ, without any hesitation, or examination, at first view witness CASIAS identified HECTOR HERNANDEZ as the suspect who shot and killed victim BUSTOS.</p> <p>Because witness CASIAS had prior contacts, i.e. sold the suspect herion on five (5) occasions face to face and seen and spoken to the suspect on several occasions, I went ahead and showed witness CASIAS a single photograph of suspect HERNANDEZ - verses a full photo line-up.</p>			
REPORTING OFFICERS Det. RASCON		RECORDING OFFICER Same	TYPED BY dq
DATE & TIME 8-19-85/2400		Further Action <input type="checkbox"/> Yes <input type="checkbox"/> No	
Copies To <input type="checkbox"/> DET <input type="checkbox"/> DA <input type="checkbox"/> CII <input type="checkbox"/> OTHER		<input type="checkbox"/> JUV <input type="checkbox"/> SO/ PD <input type="checkbox"/> PAT <input type="checkbox"/> OTHER	
REVIEWED BY			DATE



Page 1 of 2

FRESNO COUNTY SHERIFF'S DEPARTMENT						REPORT NO.: 85-16278	
<input type="checkbox"/> CONTINUATION						<input checked="" type="checkbox"/> FOLLOW-UP	
Code Section PC 187		Crime Murder		Victim's Name BUSTOS, Silvestre			
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed						LOCATION OF OCCURRENCE	
Code R/P	Last Name (Business Name) NEEK,		First Kristine	Middle Marie	Race W	Sex F	D.O.B. 5/10/53
Residence Address 6325 E. DeWoody				City/Zip Laton, Ca 93242		Residence Phone 923-4265	
Business Address (School/Grade if Student) Housewife				City/Zip		Work Hrs./Days Off Business Phone	
TYPE OF VEHICLE:		DISPO:		File Control No. (FCN)			
<input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen		<input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large					
<input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked)		<input type="checkbox"/> Stored <input type="checkbox"/> At Scene <input type="checkbox"/> Scene					
<input type="checkbox"/> Other		<input type="checkbox"/> Other					
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)		License No. State
<p><u>SOURCE:</u> 8/22/85, approximately 1830 hours. I was dispatched to 6325 E. DeWoody regarding a possible Wanted subject seen in the area. Upon arrival at approximately 1835 hours, I talked with R/P KRISTINE NEEK.</p> <p><u>REPORTING PARTY STATEMENTS:</u></p> <p>R/P NEEK said sometime last week, she was watching the news, when she saw a picture of a "Wanted" subject on T.V. She further stated that on 8/17/85, she saw a subject walk by her residence similar to the one seen on T.V.</p> <p>She describes the subject as a Mexican male adult, 6'0, 165, thin with reddish brown hair. She also stated the subject was involved in a murder in the Calwa area. R/P NEEK said every other day, the subject would patronize the store across the street on a regular basis. She also stated her son observed the subject walk into a residence in the area of Armstrong and Latonia.</p>							
Reporting Officer's R. Verdugo A598				Section Patrol		Typed by lisa	
						Date & Time 8/26/85	
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input checked="" type="checkbox"/> DET <input type="checkbox"/> SID <input checked="" type="checkbox"/> OTHER <i>any</i>				Reviewed By <i>Sacto</i>		Date 8/26/85	

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FRESNO COUNTY SHERIFF'S DEPARTMENT					REPORT NO.: 85-16278	
<input type="checkbox"/> CONTINUATION					<input checked="" type="checkbox"/> FOLLOW-UP	
Code Section PC 187		Crime Murder		Victim's Name BUSTOS, Silvestre		
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed					LOCATION OF OCCURRENCE	
Code R/P	Last Name (Business Name) NEEK,		First KRISTINE	Middle Marie	Race W	Sex F
Residence Address		City/Zip			Residence Phone	
Business Address (School/Grade if Student)			City/Zip	Work Hrs./Days Off	Business Phone	
TYPE OF VEHICLE:		DISPO:		File Control No. (FCN)		
<input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen		<input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large				
<input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked)		<input type="checkbox"/> Stored At Scene <input type="checkbox"/> Scene				
<input type="checkbox"/> Other		<input type="checkbox"/> Other				
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)	License No.
						State

WITNESS STATEMENTS: NONE

INVESTIGATION: At that time, I showed the R/P pictures of approximately five (5) male subjects. She then pointed to two male suspects, one being HECTOR HERNANDEZ who is Wanted for PC 187. I then checked the area where the subject was seen, (Armstrong & Latonia), and found residences to be only on the Eastside of Armstrong.

EVIDENCE: NONE

ADDITIONAL INFORMATION: HECTOR HERNANDEZ is "WANTED" for a PC 187 committed in the Calwa area.

Reporting Officers R. Verdugo		Section Patrol	Typed by Lisa	Date & Time 8/26/85
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER			Reviewed By	Date

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FRESNO COUNTY SHERIFF'S DEPARTMENT						REPORT NO.: 85-16278	
<input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP							
Code Section <b>PC 187</b>		Crime <b>Murder</b>		Victim's Name <b>Bustos, Silvestre</b>			
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed				LOCATION OF OCCURRENCE <b>2448 S. 11th--Fresno</b>			
Code	Last Name (Business Name)			First	Middle	Race	Sex
Residence Address			City/Zip			Residence Phone	
Business Address (School/Grade if Student)			City/Zip			Work Hrs./Days Off	
Business Phone			File Control No. (FCN)				
TYPE OF VEHICLE:		DISPO:		At Scene		Left at Scene	
<input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other		<input type="checkbox"/> Released <input type="checkbox"/> Stored <input type="checkbox"/> Other		<input type="checkbox"/> Impound <input type="checkbox"/> At Large			
Year	Make	Model	Body Style	Color(s)	Vehicle Identification No. (VIN)		License No.
					State		

On 8-15-85, at approx. 0440 Hrs., R/O was contacted at home via phone by Sgt. J. Crass. Sgt. Crass advised that patrol officers were standing by at 2448 S. Eleventh with a PC 187. Sgt. Crass requested R/O respond.

R/O arrived at the scene at approx. 0515 Hrs., contacting Sgt. Noyes and Dep. F. Lopez, responding patrol officers.

R/O observed the scene to be a largely Hispanic, lower income residential area in the Calwa district. The victim was located in an apartment on the E/ side of the alley between Tenth St. and Eleventh St., approx. 100 Ft. N/ of Burns. The apartment is roughly L-shaped and connects to another apartment to the S/. The front door of the apartment faces S/, towards Burns. The front door of the apartment leads into the living room, which contained only a couch in the way of furniture. An archway on the E/ side of the living room leads to the kitchen, which contained a refrigerator, stove, sink, table & chair, and a metal frame single bed. A doorway on the E/ Wall of the kitchen leads to a small bathroom, and a door on the S/ wall leads to the sole bedroom.

Vict. was located in the living room. Vict. had apparently been sleeping on the couch, which was against the N/ wall of the livingroom, approx. one

Reporting Officers <b>S. Morrison</b>		Section <b>A-524</b>		Typed by <b>jsm</b>		Date & Time <b>8-19-85, 1000</b>	
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input checked="" type="checkbox"/> OTHER <i>Cau</i>				Reviewed By			Date

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<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b>						REPORT NO.: <b>85-16278</b>	
<input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP							
Code Section <b>PC 187</b>		Crime <b>Murder</b>		Victim's Name <b>Bustos, Silvestre</b>			
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed						LOCATION OF OCCURRENCE	
Code	Last Name (Business Name)		First	Middle	Race	Sex	D.O.B.
Residence Address				City/Zip		Residence Phone	
Business Address (School/Grade if Student)				City/Zip		Work Hrs./Days Off	Business Phone
TYPE OF VEHICLE: <input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other		DISPO: <input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored At Scene <input type="checkbox"/> Other		File Control No. (FCN)			
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)		License No.
State							

  

foot from the W/ wall of the livingroom. Vict. was discovered lying on his chest, just S/ of the couch. Vict's head was to the E/, and his feet to the W/. Vict's head was turned to the N/. Vict. was wearing only a brown pair of pants and undershorts. There was a silver colored watch on Vict's left wrist, and gold colored rings on the ring and little fingers of both hands. Large amounts of blood, spreading from the area of Vict's torso, was coagulating on the floor. Vict's arms were at his side.

The door of the apartment appeared to have been forced. The wood of the door was cracked in the area of the doorknob, and the locking mechanism were located on the floor of the living room, approx. 2 ft. E/ of Vict's head. There was a cushion propped up on the E/ arm of the couch, which had apparently been used as a pillow. The cushion was stained with blood, as was the material at the base of the couch at the E/ end. Two shotgun rounds were located, one at Vict's knee, the other at his feet.

At approx. 0840 Hrs., Dep Coroner Keith Stubbs turned Vict's body over, exposing an apparent shotgun wound high on Vict's left chest, in the area of the clavical. The wound was relatively round, and approx. 3" in diameter. There was extensive tissue destruction beneath the wound.

Reporting Officers <b>S. Morrison</b>		Section <b>A-524</b>	Typed by <b>Det.</b>	Date & Time <b>8-19-85, 1000</b>
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER			Reviewed By	Date

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FRESNO COUNTY SHERIFF'S DEPARTMENT						REPORT NO.:	
<input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP						85-16278	
Code Section <b>PC 187</b>		Crime <b>Murder</b>			Victim's Name <b>Bustos, Silvestre</b>		
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed					LOCATION OF OCCURRENCE <b>2448 S. 11th--Fresno</b>		
Code	Last Name (Business Name)		First	Middle		Race	Sex
Residence Address		City/Zip			Residence Phone		
Business Address (School/Grade if Student)		City/Zip			Work Hrs./Days Off		Business Phone
TYPE OF VEHICLE:		DISPO:		File Control No. (FCN)			
<input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other		<input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored      At Scene    Scene <input type="checkbox"/> Other					
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)		License No.
						State	

Dep. Coroner Stubbs removed an unknown amount of cash from Vict's front pants pockets.

A sliding window on the W/ wall of the living room was open. An evaporative cooler which had been sitting on a wooden stand outside the window was knocked over to the N/, and the wooden stand had collapsed.

Vict's vehicle, a 1977 Pontiac Phoenix, Cal Lic 233 TOT, was parked outside the front door of the apartment. The vehicle was later towed by Dep. Lopez.

Possible Susp. shoe impressions were located in the apartment, around the Vict's vehicle, and in the alley. Possible Susp. Veh. tire impressions were located in the area of Burns/the alleyway. Criminologists L. Wiggs and J. Duty processed the scene.

Reporting Officers <b>S. Morrison      A-524</b>		Section <b>Det,</b>		Typed by <b>jsm</b>	Date & Time <b>8-19-85, 1000</b>
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER				Reviewed By	Date



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<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b>						REPORT NO.: <b>85-16278</b>	
<input type="checkbox"/> CONTINUATION <input checked="" type="checkbox"/> FOLLOW-UP							
Code Section <b>PC 187</b>		Crime <b>Murder</b>			Victim's Name <b>Bustos, Silvestre</b>		
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed						LOCATION OF OCCURRENCE <b>2448 S. Eleventh--Fresno</b>	
Code		Last Name (Business Name)			First Middle		Race Sex D.O.B.
Residence Address				City/Zip		Residence Phone	
Business Address (School/Grade if Student)				City/Zip		Work Hrs./Days Off Business Phone	
TYPE OF VEHICLE:		<input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other		DISPO: <input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored At Scene Scene <input type="checkbox"/> Other		File Control No. (FCN)	
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)		License No. State
<p>On 10-3-85, at approx. 1300 Hrs., R/O and Det. R. Johansen removed Susp. Hernandez from the FCJ and transported him to the office of Dr. Alan Benov in compliance with a court order.</p> <p>Hernandez submitted to tooth impressions by Dr. Benov without incident, and he was returned to FCJ at approx. 1500 Hrs.</p>							
Reporting Officers <b>S. Morrison</b>			Section <b>A-524</b>		Typed by <b>jsm</b>		Date & Time <b>10-4-85, 0900</b>
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input checked="" type="checkbox"/> DET <input type="checkbox"/> SID <input checked="" type="checkbox"/> OTHER <i>elm</i>					Reviewed By		Date

11-1-85 (2)

35-162784

FRESNO COUNTY SHERIFF'S DEPARTMENT										1. Report No. 85-17950																					
2. Type of Report <input checked="" type="checkbox"/> Crime <input type="checkbox"/> Incident					3. Assignment <input type="checkbox"/> Patrol <input checked="" type="checkbox"/> Detective																										
4. Crime Code PC		5. Section 32		6. Definition Accessories		7. Type of Target <input type="checkbox"/> Residential <input type="checkbox"/> Agriculture <input type="checkbox"/> Person <input type="checkbox"/> N/A <input type="checkbox"/> Commercial <input type="checkbox"/> Vehicle <input checked="" type="checkbox"/> People-of-State																									
8. Date Occurred From 9-5-85		9. Day Occurred From Thursday		10. Time Occurred From 1515 hours		11. Date Reported 9-5-85		12. Day Reported Thursday		13. Time Reported 1515 hrs.		14. Area 3		15. Zone 2160																	
To		To		To		16. Location of Occurrence Northeast corner of Shields & Noble, Fresno																									
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person Interviewed P-Parent G-Guardian D/C-Discovered Crime																															
VICTIM/WITNESS INFO ADD'L NAMES IN NARRATIVE														17. Code V		18. Last Name (Business Name) People of the State						19. Race		20. Sex		21. D.O.B.					
														22. Residence Address City/Zip										23. Residence Phone							
														24. Business Address (School/Grade If Student) City/Zip										25. Work Hrs/Days Off		26. Business Phone					
														Code W1		Last Name (Business Name) Travino, M. Detective						Race		Sex		D.O.B.					
														Residence Address City/Zip										Residence Phone							
Business Address (School/Grade If Student) City/Zip										Work Hrs/Days Off		Business Phone 488-3925																			
Fresno County Sheriff's Department																															
CODE DEFINITIONS: S-Suspect R/A-Runaway Juvenile MP-Missing Person																															
SUSPECT/R/A-MISSING PERSON ADD'L NAMES IN NARRATIVE														Code S1		Last Name Hernandez, Juanita Ramirez						Race M		Sex F		D.O.B. 10-1-56		27. Age 28			
														28. Hgt. 5-1		29. Wgt. 120		30. Eyes Brn		31. Hair Color Brn		32. CDL or SS Number 558-58-8542		33. Miscellaneous Descriptors (clothing, etc.)							
														34. Address City/Phone 1315 Faller St, Sanger 875-6707										35. Disposition <input type="checkbox"/> Booked <input type="checkbox"/> At Large <input type="checkbox"/> Cited <input type="checkbox"/> Other		36. Charge(s) PC 32		37. Citation No.			
														Code S2		Last Name Martinez, Fidencio Aguirre						Race M		Sex M		D.O.B. 11-17-55		Age 29			
														Hgt. 5-6		Wgt. 160		Eyes Brn		Hair Color Brn		CDL or SS Number N7991186		Miscellaneous Descriptors (clothing, etc.)							
Address City/Phone 817 J. St. Sanger No Phone										Disposition <input type="checkbox"/> Booked <input type="checkbox"/> At Large <input type="checkbox"/> Cited <input type="checkbox"/> Other		Charge(s) PC 32		Citation No.																	
38. ADD'L R/A Juv. INFO.: Dispo Dislred? <input type="checkbox"/> Ret. Home <input type="checkbox"/> J.H. <input type="checkbox"/> Other _____ School Attending?																															
VEHICLE ADD'L IN NARRATIVE														39. TYPE OF VEHICLE: <input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other				40. DISPO: <input checked="" type="checkbox"/> Stored <input type="checkbox"/> Released <input type="checkbox"/> Left at Scene <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Other				41. File Control No. (FCN)									
														42. Year 76		43. Make Ford		44. Model Tbird		45. Body Style 2dr		46. Color(s) Dk Blue		47. Vehicle Identification No. (VIN)				48. License No. None		49. State	
														50. Other Description										51. Address If Vehicle Stored				52. Value			
														53. Registered Owner <input type="checkbox"/> Same as Victim <input type="checkbox"/> Same as Suspect										54. Address of Registered Owner				55. Phone:			
														56. Legal Owner <input type="checkbox"/> Same as Victim <input type="checkbox"/> Same as Suspect										57. Address of Legal Owner				Phone:			
58. Location of Recovery (If Combined Report)										59. Originating Agency (Other Than FSD)				60. Agency Case No.																	
61. SUSPECT FACTORS: <input checked="" type="checkbox"/> Suspect Known or Named <input type="checkbox"/> Traceable Property <input type="checkbox"/> Suspect Vehicle ID'ed or Known <input type="checkbox"/> Unique M.O. <input type="checkbox"/> Physical Evidence <input type="checkbox"/> Other (Supervisory Judgement)																															
62. EVIDENCE OBTAINED: <input type="checkbox"/> None <input type="checkbox"/> Blood <input type="checkbox"/> Fingerprints <input type="checkbox"/> Photos <input type="checkbox"/> Vehicle <input type="checkbox"/> Clothes <input type="checkbox"/> Hair <input type="checkbox"/> Semen <input type="checkbox"/> Weapons/Tools <input type="checkbox"/> Tire Tracks <input type="checkbox"/> Shoe Tracks <input type="checkbox"/> Other																															
63. Reporting Officer(s): R. Kelly A253					64. Section: Detective		65. Reviewed by/Date: <i>[Signature]</i>			66. Typed by:		67. Date & Time: 10-23-85																			
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER																															



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<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b>						REPORT NO.: 85-17950	
<input checked="" type="checkbox"/> CONTINUATION <input type="checkbox"/> FOLLOW-UP							
Code Section <u>PC 32</u>		Crime <u>Accessories</u>			Victim's Name <u>People of the State</u>		
CODE DEFINITIONS: V-Victim W-Witness R/P-Reporting Party P/I-Person P-Parent G-Guardian D/C-Discovered Crime Interviewed					LOCATION OF OCCURRENCE: <u>Maple &amp; Shields, Fresno</u>		
Code	Last Name (Business Name)		First	Middle	Race	Sex	D.O.B.
Residence Address				City/Zip		Residence Phone	
Business Address (School/Grade if Student)				City/Zip		Work Hrs./Days Off	Business Phone
TYPE OF VEHICLE:		DISPO:		File Control No. (FCN)			
<input type="checkbox"/> Stolen/Emb. <input type="checkbox"/> Rec. Stolen <input type="checkbox"/> Suspect <input type="checkbox"/> Victim (Veh. Attacked) <input type="checkbox"/> Other		<input type="checkbox"/> Released <input type="checkbox"/> Left at <input type="checkbox"/> Impound <input type="checkbox"/> At Large <input type="checkbox"/> Stored      At Scene    Scene <input type="checkbox"/> Other					
Year	Make	Model	Body Style	(Color(s))	Vehicle Identification No. (VIN)		License No.
							State
<b>ADDITIONAL INFORMATION: WITNESS CONTINUED</b>  2. <u>Sgt. W. Pierce, FSO</u> 3. <u>Sgt. W. Dryden, FSO</u> 4. <u>Det. B. McGuire, FSO</u> 5. <u>Det. G. Johnson, FSO</u> 6. <u>Det. N. Melillo, FSO</u> 7. <u>Det. R. Moore, FSO</u> 8. <u>Det. J. Olsen, FSO</u> 9. <u>Det. H. Ramirez, Sanger Police Department</u>  SOURCE: <u>I was assigned by Sgt. W. Pierce as well as the above listed Officer to conduct a surveillance on the residence (1315 Faller St. Sanger) and person of Juanita Hernandez with the intent of locating her husband, Hector Hernandez, who was wanted for PC 187 in Fresno Sheriff's Department case number 85-16278.</u>  VICTIMS STATEMENTS: <u>None</u>  WITNESS STATEMENTS: <u>I was contacted by Detective M. Travino at the Fresno County Sheriff's</u>							
Reporting Officers <u>R. Kelly A253</u>			Section <u>Detective</u>		Typed by	Date & Time	
Special Routing: <input type="checkbox"/> DA <input type="checkbox"/> JUV <input type="checkbox"/> DET <input type="checkbox"/> SID <input type="checkbox"/> OTHER				Reviewed By			Date

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FRESNO COUNTY SHERIFF'S DEPARTMENT FRESNO, CALIFORNIA		69. Case No. 85-17950	
70. Code Section PC 32	71. Crime Accessories	72. Victim's Name People of the State	
<p>regarding information in connection with Hector Hernandez. Detective M. Travino told me that he and Detective J. Razon had contacted Juanita Hernandez at her residence during their investigation and told her that her husband was wanted for PC 187. Detective Travino told me that they explained to Mrs. Hernandez that if she had information regarding her husband Hector or was aiding him in any way she could be arrested as an accessorie.</p> <p>INVESTIGATION: Thursday, September 5, 1985 at approximately 1425 hours the aforementioned Officers and my self were conducting a surveillance on the residence located at 1315 Faller, City of Sanger, when a 1976 dark blue Ford Tbird arrived at the residence. This vehicle was occupied by Fidencio Martinez (dob 11-17-55). Martinez was observed to exit his vehicle and enter the residence. After a short time he was seen to exit the residence along with Juanita Hernandez. Both Martinez and Hernandez then departed the Faller residence and proceeded out of Sanger. This vehicle was surveilled to the area of Chestnut and Kingscanyon where Hernandez exited the vehicle and used the telephone located on the northeast corner. After a short time she and Martinez then drove to the area of Maple and Shields Ave. Juanita Hernandez was then observed to exit the vehicle and make contact with a Male Subject standing near a convenience store located at the northeast corner of Maple and Shields. I then saw this subject get into the rear seat of the blue Ford Tbird. Juanita Hernandez then entered the right front seat of the vehicle and all three subjects drove south on Maple. The subject that was sitting in the rear of the vehicle was then identified as Hector Hernandez. This vehicle was followed to the area of Barton and Nevada where a felony vehicle stop was conducted. All three subjects, Martinez, Juanita and Hector Hernandez were taken into custody, along with a young juvenile belonging to the Hernandez's.</p>			
REPORTING OFFICERS R. Kelly A253, Detective		RECORDING OFFICER	TYPED BY    DATE & TIME
Further Action	<input type="checkbox"/> Yes    Copies To <input type="checkbox"/> No	<input type="checkbox"/> DET <input type="checkbox"/> OA <input type="checkbox"/> CII <input type="checkbox"/> OTHER <input type="checkbox"/> JUV <input type="checkbox"/> SO/PD <input type="checkbox"/> PAT <input type="checkbox"/> OTHER	REVIEWED BY    DATE

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<b>FRESNO COUNTY SHERIFF'S DEPARTMENT</b> <b>FRESNO, CALIFORNIA</b>		69. Case No. 85-17950
70. Code Section PC 32	71. Crime Accessories	72. Victim's Name People of the State
<p>All three subjects that were taken into custody were transported to the Fresno County Sheriff's Department and turned over to the investigating Detectives. The juvenile was placed by Juvenile Detectives pending investigation. I stored the vehicle that Martinez was driving pending notifying the registered owner.</p> <p>EVIDENCE: None</p> <p>ADDITIONAL INFORMATION: Tuesday, September 3, 1985 at approximately 1000 hours Sgt. W. Pierce told me that he had been contacted by Patrol and was given information that Juanita Hernandez had been seen with Hector and the small child in a light blue over white vehicle near Valley Medical Center over the week end.</p> <p>I should note that the 1976 Ford Tbird that was operated by Martinez had been seen at the Fallers address on one or more occasions during the surveillances being conducted by the Fresno County Sheriff's Department.</p>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <b>REPORTING OFFICERS</b>            R. Kelly A253, Detective         </div> <div style="width: 30%;"> <b>RECORDING OFFICER</b> </div> <div style="width: 30%;"> <b>TYPED BY</b> </div> <div style="width: 10%;"> <b>DATE &amp; TIME</b> </div> </div>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <b>Further Action</b> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Yes  <input type="checkbox"/> No           </div> <div> <input type="checkbox"/> DET  <input type="checkbox"/> JUV           </div> <div> <input type="checkbox"/> DA  <input type="checkbox"/> SO/              PD           </div> <div> <input type="checkbox"/> CII  <input type="checkbox"/> PAT           </div> <div> <input type="checkbox"/> OTHER  <input type="checkbox"/> OTHER           </div> </div> </div> <div style="width: 55%;"> <b>REVIEWED BY</b> </div> <div style="width: 10%;"> <b>DATE</b> </div> </div>		

## **EXHIBIT 12**



## County of Fresno

ELIZABETH A. EGAN  
District Attorney

June 5, 2006

### *Via Facsimile*

California Department of Corrections and Rehabilitation  
CTF Soledad  
P.O. Box 686  
Soledad, CA 93960

Re: Inmate Hector Hernandez, CDC No.; D-33689  
Parole Consideration Hearing Date: June 8, 2006

Dear Board of Prison Terms:

Please be advised that due to limited resources, a representative from this office will not be able to attend the above-referenced parole consideration hearing. Notwithstanding, we want the Board of Prison Terms to know that this office opposes the parole of the above inmate. Accordingly, we hereby submit this letter in opposition to giving inmate Hernandez a parole date at this time. Our opposition is based on (1) the violent nature of the murder; (2) the inmate's lengthy juvenile and adult criminal history prior to the life offense; (3) the inmate's lack of insight into the nature of his offense and the role his drug addiction played; (4) the inmate's lack of concrete parole plans with outside support; (5) the current psychiatric evaluation which states that the inmate's heroin abuse presents a significant risk factor for future violence; and (6) the unreasonable risk this person poses to the general populous if released at this time.

Please do not hesitate to contact me should you have any questions or concerns regarding this matter.

Sincerely,

ELIZABETH A. EGAN  
DISTRICT ATTORNEY

James Sanderson  
Deputy District Attorney

### OFFICE OF THE DISTRICT ATTORNEY

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